



**TOWN OF McCANDLESS  
MEETING OF TOWN COUNCIL  
AGENDA  
APRIL 27, 2020**

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- 1) Call to Order at 7:30 p.m.
- 2) Invocation by Councilmember Chuck Mazur
- 3) Pledge of Allegiance
- 4) Announcements
- 5) Public Comment
- 6) Move to approve the following minutes, submitted to each member of Council:
  - Meeting of Town Council (April 13, 2020)
- 7) Liaison Reports:
  - a. Activities Committee – Patricia A. Cloonan; Carolyn L. Schweiger (alternate) NO MEETING
  - b. Community Day Committee – Angela Woods; Patricia A. Cloonan (alternate) NO MEETING
  - c. Environmental Advisory Committee – Angela M. Woods; Carolyn L. Schweiger (alternate) NO MEETING
  - d. Finance Development & Promotional Committee for the Heritage Center – Joan D. Powers; Chuck J. Mazur (alternate) NO MEETING
  - e. Joint Recreation Board – Chuck J. Mazur; Patricia A. Cloonan (alternate)
  - f. Junior Councilmember – Michael Taffe
  - g. McCandless-Franklin Park Ambulance Authority – Bill Kirk; Joan D. Powers (alternate)
  - h. McCandless Industrial Development Authority – Chuck J. Mazur; Bill Kirk (alternate)
  - i. McCandless Township Sanitary Authority – Bill Kirk; Chuck J. Mazur (alternate)
  - j. North Hills Council of Governments – Angela M. Woods; Chuck J. Mazur (alternate) NO MEETING
  - k. Northland Public Library Authority – Joan D. Powers; Angela M. Woods (alternate)
  - l. North Pittsburgh Community Development Authority – Chuck J. Mazur; Bill Kirk (alternate) NO MEETING
  - m. Personnel Board – Carolyn L. Schweiger; Kim Zachary (alternate) NO MEETING
  - n. Planning Commission – Kim Zachary; Patricia A. Cloonan (alternate) NO MEETING

- o. Technology Committee – Bill Kirk; Angela M. Woods (alternate) NO MEETING
  - p. Volunteer Firefighters Steering Committee – Carolyn L. Schweiger; Joan D. Powers (alternate) NO MEETING
  - q. Zoning Hearing Board – Patricia A. Cloonan; Kim Zachary (alternate) NO MEETING
- 8) President of Council's Report and Correspondence
  - 9) Town Manager's Report
  - 10) Town Attorney's Report
  - 11) Unfinished Business
    - a. Move to take action on Ordinance No. 1497, an ordinance amending the zoning district of certain property located at 8500 Thompson Run Road, also identified as Block and Lot No. 717-J-216, from C-7 (Office Building District) to R-3 (Townhouse and Garden Apartment District) and amend the Town's zoning map accordingly. A public hearing was held on March 9, 2020 and was reviewed on April 13, 2020.
    - b. Move to adopt Ordinance No.1498, an ordinance to authorize the conveyance of a right-a-way and channel easement to the Commonwealth of Pennsylvania for drainage work to be performed along Rochester Road.
  - 12) New Business
    - a. Move to adopt Ordinance No. 1499, an ordinance of the Town of McCandless, County of Allegheny, Commonwealth of Pennsylvania, authorizing an extension of time for the filing of returns and the payment of business privilege tax, for license year 2020 only, from May 15, 2020, until July 15, 2020.

Respectfully submitted,



Robert T. Grimm  
Town Manager

/mah

OFFICIAL  
TOWN OF McCANDLESS  
RESOLUTION No. 12 OF 2016

**A RESOLUTION OF THE TOWN OF McCANDLESS, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, TO PRESCRIBE RULES FOR PUBLIC COMMENT AT MEETINGS OF TOWN COUNCIL**

**WHEREAS**, Pennsylvania's Sunshine Act, 65 Pa. C.S. §§ 701 et seq., as well as Sections 405 and 406 of the Town of McCandless Charter, require the Town of McCandless to provide a reasonable period of time at each advertised regular or special meeting of Town Council for residents and taxpayers to address Council on matters of general or special concern, official action or deliberation on matters under consideration by Council; and

**WHEREAS**, Section 406 of the Charter provides that Council shall adopt and enforce such reasonable rules and procedures as may be necessary for the orderly conduct of its business; and

**WHEREAS**, the Town Council of the Town of McCandless has determined that both its compliance with the Sunshine Act and the efficient and effective conduct of its meetings and the maintenance of order at said meetings would be advanced by the promulgation of a set of rules regarding such public comment.

**NOW THEREFORE, BE IT RESOLVED** by the Town Council of the Town of McCandless as follows:

**Section 1.**

1. A separate period of public comment shall be held for each agenda item considered at each advertised regular or special meeting (business meeting) of the Town Council of the Town of McCandless after comments are made by Council, but before the item is voted upon. These comments shall be limited to the agenda items currently before Council. At the end of a regular or special meeting (business meeting), a public comment period will be held for general comments on matters of Town concern. This comment period will be subject to the same rules applicable to public comments.
2. The President of Town Council shall preside over the public comment period and shall recognize residents or taxpayers of the Town wishing to offer comment during such period.
3. Public comment shall be limited to residents or taxpayers of the Town. Any resident or taxpayer wishing to address Town Council during such public comment period shall provide their name and address prior to the public comment period. The Town shall have written forms for such identification prepared and available at each such advertised regular or special meeting of Town Council.
4. Each resident or taxpayer who has signed in and who wishes to speak shall address the President of Town Council and, upon recognition and receiving permission to speak, shall confine his or her remarks to issues or items which constitute matters of concern, official action or deliberation which are or may be before the Town Council and which relate to matters on the agenda except for the open comment period at the end of a regular or special meeting (business meeting).
5. The President of Town Council may rule out of order any offensive, insulting, threatening, scandalous or obscene comments as determined by the President to be disruptive or to otherwise prevent the orderly conduct of the official business of that meeting or who becomes boisterous or who makes threats against any person or against public order and security may be forthwith barred by the President of Town Council from continued attendance at that meeting unless permission to continue shall be granted by a majority vote of those Council members present.
6. Each individual person's comments shall be limited to a maximum of five (5) minutes and each individual shall be given an opportunity to comment on each agenda item at each regular or special meeting (business meeting). When a group of persons wishes to address Council on the same subject matter, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address Council and to limit the number of people addressing Council on the same matter so as to avoid any unnecessary repetition. This will not prevent individual members of the group from commenting to the extent that they wish to comment on an issue not addressed by the designated spokesperson.
7. The President of Town Council shall have the authority to call a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action.
8. With respect to Committee meetings, the Committee Chair shall provide for a period of public comment at the conclusion of each Committee meeting, which public comment period shall be governed by the same rules applicable to comments at regular Council meetings. Public comments at Committee meetings shall be limited to comments regarding agenda items for that particular Committee meeting.
9. At each Agenda Review meeting, the President of Council shall provide for a period of public comment after each item on the agenda, which comment period shall be governed by the same rules applicable to public comments at regular Council meetings.
10. The Town endeavors to provide accurate and timely information to questions asked by its citizens. Questions asked during public comment periods will be treated as comments. Answers will be provided by the Town Administration or Town Council as appropriate.

*(Adopted by the McCandless Town Council on June 27, 2016)*

**TOWN OF McCANDLESS  
TOWN MANAGER'S REPORT**

**APRIL 27, 2020**

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**1. Transportation Projects/Development Status Report:**

- a) McCandless Crossing West. Contractors are working on finishes at "Atria at McCandless" (formerly McCandless Senior Living). Work continues on floors 3 and 4 of Allegheny Health Network's (Seavest) 10 room hospital and retaining wall construction has been completed. The occupancy permit has been issued.
- b) Sunrise Addition. This project has been completed and the occupancy permit has been issued.
- c) McCandless Square Senior Housing on Blazier Drive. We have not received notice that they have closed on the property at this point. Plans call for a mixed-use development that includes senior housing, retail, restaurant, and office space. Asbestos abatement is occurring because of a waiver being issued by the State. Developers are working on securing a demolition permit. They have received additional waivers from the State to proceed with demolition and grading.
- d) Pine Creek – Rt. 19 Intersection and Corridor Improvements. The Town, in conjunction with the Commonwealth of Pennsylvania, Department of Transportation undertook a road improvement project near and around the intersection of Pine Creek Road and Perry Highway. As part of the Pine Creek Road Project, the Town acquired a portion of an easement held by the McCandless Township Sanitary Authority in order to construct the new bridge. In order to relocate the sewer line, an easement from 9795 Perry Highway Management, LLC granted an easement through the property to the MTSA. In exchange for the Authority granting a portion of its easement to the Town for the Pine Creek Road Project, the Town agreed to pay the costs associated with acquiring the easement from the owner. We will need approve the agreement and compensate the owner \$11,900 as agreed upon.
- e) Wexford Flats Project. PennDOT is still sorting through details for a final invoice and we have not heard anything more from the Department about an invoice for our share of the project. Town Council determined when this project went forward, the Town should assess for the local share of the sidewalk construction (20%). Federal Funds paid for the 80% share.
- f) Terrace Place at Vincentian. The sidewalk work has been completed. We are looking at some drainage issues that have now come up. The sediment pond still is being converted to a stormwater facility. Bonding for remaining improvements is in place.
- g) Chase Bank. The Developer's Agreement has been signed. Framing is underway on the building.
- h) Sheetz. The Developer's Agreement has been signed. Demolition is complete and the building permit has been issued. The footers have been poured and fuel tanks have been installed. Framing had been underway when the Stay-At-Home Orders were issued.
- i) Get-Go. The canopy is erected and foundation for the building is completed. They are working on underground piping and utilities. Framing is also underway.

**2. MS4-Pollutant Reduction Plan (PRP) Permit Report.** Below is ongoing status of the projects, on which we continue to work in order to improve stormwater management to the watersheds in the Town:

- a) Harmony Road Stormwater Control System – PVE continues to prepare easements for check dams which will bring stormwater from Harmony Road to Highland Road in a much more controlled fashion.

Meetings with residents will be done in small “chunks” to focus discussion to specific locations within the overall project area. This work will link the Harmony Road stormwater collection system upstream and the Highland Road storm sewer system downstream that will run parallel to Highland Road.

- b) Highland Road Storm Sewer – We continue to expect the Public Works Department to start its part of this work on the project approximately April 1<sup>st</sup> weather permitting.
- c) Brittany Place project. With the exception of the restoration work, the contractor completed the project at the end of the December. Property restoration work will be completed in the Spring.
- d) Public/Private PRP Project – Staff, PVE and the Town Attorney are taking the necessary steps to work with the developer on a public/private partnership agreement to undertake the streambank work required under our Pollution Reduction Plan. After PVE ran the modeling and stream studies, they determined that there will be enough lineal footage and instream structure credits with the two streams behind the municipal building. The Wall Park streambank work will remain in the PRP plan and we will seek other funding or another public/private partnership to accomplish that work. PVE continues to work with Ty Norris, Senior Project Manager at DEP to finalize the permit review. Mr. Norris did state that a comment letter on the permit should be sent out in the next week or so. Matt Carroll from PVE is coordinating the permit.

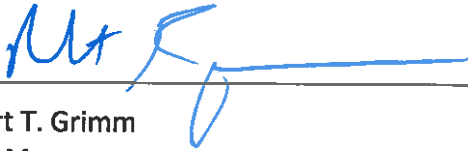
3. **Communication statistics (as of February 18th)**

Town Facebook: 3,263 likes (3,472 follows)  
Police Facebook: 3,442 likes (3,749 follows)  
Savvy Citizen: 2,561 subscribers  
McMail: 4,166 subscribers  
Website: 8,181 sessions (from March 23-April 22)

- 4. **ARLE Grant Application.** **DID NOT RECEIVE GRANTS** TRANS Associates submitted a grant application to complete upgrade on an outdated traffic signal at the intersection of Thompson Run Road and Red Coach Road/Hazlett Road. The upgrade will include new controller, mast arms, vehicular signals, pedestrian pushbuttons and signals, ADA facilities, and overhead wiring. This project would install battery backup units and generator panels at various critical intersections throughout the Town along the McKnight Road (SR 4003) corridor. McKnight road sees an ADT of 25,000 vehicles. The four intersections included in this project were McKnight Road and Cumberland Road, McKnight Road and Duncan Avenue, McKnight Road and Perrymont Road/Babcock Boulevard, and McKnight Road and Babcock Boulevard/Peebles Road. We have been informed that we did not receive the grants. We will reapply when the next round of funding becomes available.
- 5. **Multi-Modal Grant Application.** We are moving forward with Gateway Engineers on these projects. They had the best overall proposals that we reviewed. I have held initial meetings with the project managers and will be speaking with them regularly as the projects move forward.
- 6. **HVAC Update/LED Conversion.** Students from the University of Pittsburgh have completed their Capstone Project on energy efficiency and alternatives and presented their findings last Friday. A final report has been submitted to Council and will be posted with other sustainability information on the Town's website. In addition, public works crews have completed the conversion of the lighting at Town Hall to LED.
- 7. **Pine Creek Flooding Issues.** The Army Corps has provided 3 possible programs the Town can consider to begin to address the issue. The Corps could conduct analysis of where the flows are coming from, to then

recommend alternatives to alleviate flash flooding; they could also conduct analysis of stormwater systems to study current capacity and necessary upgrades. We could consider asking the Corps to conduct a watershed study to better understand which alternatives give the best bang for buck for flood risk reduction within the watershed - this would likely require the engagement of the North Hills Council of Governments (NHCOG) . This is a cost shared program that could either be done with a cash contribution or work in-kind. A final consideration would be that we could consider pursuing a project under the Sect 205 Flood Damage Reduction authority (which could lead to construction of flood risk project). However, getting the benefit-to-cost ratio to justify construction under this program is difficult. Though, if the Corps took a watershed approach and considered benefits of reducing flooding downstream from some type of large detention project upstream, we could possibly pursue this type of project. I am continuing to follow up with the Army Corps and PEMA.

Respectfully submitted,



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Robert T. Grimm  
Town Manager

**OFFICIAL**  
**TOWN OF McCANDLESS**  
**ORDINANCE NO. 1497**

**AN ORDINANCE OF THE TOWN OF McCANDLESS,  
COUNTY OF ALLEGHENY, COMMONWEALTH OF  
PENNSYLVANIA, CHANGING THE ZONING DISTRICT OF  
CERTAIN PROPERTY LOCATED AT 8500 THOMPSON  
RUN ROAD IN THE TOWN OF McCANDLESS FROM THE  
C-7 OFFICE BUILDING DISTRICT TO THE R-3  
TOWNHOUSE AND GARDEN APARTMENT DISTRICT,  
AND AMENDING THE ZONING MAP OF THE TOWN OF  
McCANDLESS ACCORDINGLY**

**WHEREAS**, the Town of McCandless has the power to protect the health, safety, and welfare of people and property in the Town through its zoning authority; and

**WHEREAS**, the Town Council of the Town of McCandless has determined that it is in the best interests of the residents of the Town of McCandless to re-zone a certain parcel of real estate identified as 8500 Thompson Run Road from the C-7 Office Building District to the R-3 Townhouse and Garden Apartment District, and that such re-zoning would not negatively affect the character of the surrounding neighborhood; and

**WHEREAS**, the Town of McCandless, pursuant to the provisions of the Pennsylvania Municipalities Planning Code, has submitted the requested zoning amendment to both the McCandless Planning Commission and the Allegheny County Department of Economic Development for their review and recommendations, and, further, has properly advertised and held a public hearing on the requested zoning amendment and, in connection therewith, conspicuously posted the affected parcel of land and mailed notices to the property owners within the area to be re-zoned; and



**WHEREAS**, the Town Council of the Town of McCandless, after the aforementioned public hearing and after careful review and consideration of the recommendations of the Planning Commission, the Allegheny County Department of Economic Development, and also the comments of the public, has determined that the amendment to the zoning map as set forth herein is appropriate.

**NOW THEREFORE, BE IT ORDAINED AND ENACTED** by the Town Council of the Town of McCandless, Allegheny County, Pennsylvania, that:

Section 1.

The Zoning Map of the Town of McCandless is hereby amended so that from and after the effective date of this Ordinance, the entirety of the parcel identified by the Allegheny County Office of Property Assessment as Block and Lot 717-J-216 and otherwise known as 8500 Thompson Run Road, McCandless, PA 15101, shall be re-zoned from the C-7 Office Building District to the R-3 Townhouse and Garden Apartment District. The parcel to be re-zoned is more fully described in the Legal Description attached hereto as **Exhibit A** and is depicted on the map attached hereto as **Exhibit B**, which Exhibits are incorporated herein by reference. The Town Engineer is hereby directed to amend the official Zoning Map of the Town to reflect this change.

Section 2. Severability.

If any of the provisions or terms of this Ordinance shall be held invalid for any reason whatsoever, then, unless such provision or term is material to this Ordinance as to render this Ordinance impracticable to perform, such provision or term shall be deemed severable from the remaining provisions or terms of this Ordinance and shall in no way affect the validity or enforceability of any other provisions hereof.



Section 3. Repealer.

All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

ORDAINED AND ENACTED into law, this **27th** day of **April, 2020**, to become effective ten (10) days after proper advertisement hereof.

ATTEST:

TOWN COUNCIL  
TOWN OF McCANDLESS

\_\_\_\_\_  
Secretary

BY \_\_\_\_\_  
President

TADMS:5253818-1 024399-188327

**Exhibit A**  
**Legal Description**

Legal Description – 8500 Thompson Run Road  
Prepared for  
Pohl Construction, Inc.

All that certain lot or parcel of land situate in the Town of McCandless, Allegheny County, Pennsylvania. Said property also being recorded as Lot 2 in the YWCA/Thompson Run Rd. Plan recorded in P.B.V. 214 Pg. 104 in the Department of Real Estate of Allegheny, Pennsylvania, and being more fully described as follows;

Beginning at a common point located at the northwest corner of Lot 2 recorded in the YWCA/Thompson Run Rd. Plan, the southwest corner of Lot 1 in said plan now or formerly Dennis A. & Mary Louis Mascari, and a point along the eastern right-of-way line of Thompson Run Road, a Allegheny County maintained road having a right-of-way width of 50 feet. Thence along the dividing line between Lots 1 and 2 of the said plan by a line S 50°04'18" E a distance of 267.27 feet to a point. Thence continuing along said dividing line N 89°01'34" E a distance of 138.00 feet to an iron pin. Thence by a line along the dividing line between Lot 2 in said plan and Lots 4 & 5 recorded in the Foxcroft Plan S 0°41'06" E a distance of 322.95 feet to a point. Thence by a line S 72°26'19" W a distance of 339.54 feet to a point. Thence by a line N 38°11'21" W a distance of 89.87 feet to a point. Thence by a line N 15°22'06" W a distance of 92.17 feet to a point located along the eastern right-of-way line of Thompson Run Road. Thence along said right-of-way by a line N 7°27'08" E a distance of 438.77 feet to a point at the said place of beginning.

Tax ID/Parcel No. 0717-J-00216  
Property Containing 163,933.68 Square Feet; 3.763 Acres.



# Exhibit B Map

PIN: 0717J00216000000



This map is for informational purposes only. Parcel information is provided from the Office of Property Assessments in Allegheny County. Content and availability are subject to change. Property characteristics and values change due to a variety of factors such as court rulings, municipality permit processing and subdivision plans. Excludes name and contact information for property owners, as required by Ordinance 3478-07. For additional information, call the Allegheny County GIS Help Desk at (412) 350-4774 or email at GISHelp@AlleghenyCounty.US.



OFFICIAL

TOWN OF MCCANDLESS  
ORDINANCE NO. 1498

AN ORDINANCE OF THE TOWN OF MCCANDLESS, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, CONVEYING TO THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION, A RIGHT-OF-WAY AND CHANNEL EASEMENT FOR DRAINAGE WORK TO BE PERFORMED ALONG ROCHESTER ROAD

WHEREAS, the Commonwealth of Pennsylvania, Department of Transportation (“PennDOT”) intends to perform drainage work near and around Rochester Road (S.R. 4011), ROW Section No. A16, in the Town of McCandless (“Project”); and

WHEREAS, in order to complete the Project, PennDOT requires a right-of-way in fee simple and a channel easement over certain properties owned by the Town of McCandless; and

WHEREAS, Article 117 of the Codified Ordinances of the Town of McCandless (“Code”) requires that Council action relating to the disposition of real estate or other Town property must be taken by Class B ordinance; and

WHEREAS, a duly advertised public hearing was held before Town Council of the Town of McCandless on April 13, 2020, and all other notices have been provided as required by the Code.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of McCandless, Allegheny County, Pennsylvania, that:

**Section 1.** The above recitals are incorporated into this Ordinance as if fully set forth herein.

**Section 2.** Transfer.

The Town of McCandless hereby transfers and conveys to PennDOT the

following property interests: approximately 0.417 Acres of land for use as a permanent right-of-way in fee simple and approximately 0.339 Acres of land for use as a channel easement, over the properties identified in the Allegheny County Department of Real Estate as Block and Lot Nos. 713-K-200, 713-K-228 and 713-B-108.

The above-described property interests are more fully described and depicted on the Drawings which are attached hereto as **Exhibit A** and incorporated herein by reference.

**Section 3. Additional Actions.**

The Town Manager and his designee(s) are hereby authorized, directed and empowered to take all necessary actions and execute all necessary documents to transfer and/or convey said property interests to PennDOT and to take all other steps necessary and proper under applicable law to accomplish the intent of this Ordinance. A copy of the Deed is attached hereto as **Exhibit B**. The final execution version of the Deed shall be subject to approval by the Town Manager, Town Engineer and Town Attorney.

**Section 4. Severability.**

If any of the provisions or terms of this Ordinance shall be held invalid for any reason whatsoever, then, unless such provision or term is material to this Ordinance as to render this Ordinance impracticable to perform, such provision or term shall be deemed severable from the remaining provisions or terms of this Ordinance and shall in no way affect the validity or enforceability of any other provisions hereof.

**Section 5. Repealer.**

All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

ORDAINED AND ENACTED into law, this **27th** day of **April, 2020**, to become effective ten (10) days after proper advertisement hereof.

ATTEST:

TOWN COUNCIL  
TOWN OF McCANDLESS

\_\_\_\_\_  
Secretary

BY \_\_\_\_\_  
President

DRAFT

**OFFICIAL  
TOWN OF McCANDLESS  
ORDINANCE NO. 1499 OF 2020**

**AN ORDINANCE OF THE TOWN OF McCANDLESS, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING AN EXTENSION OF TIME FOR THE FILING OF RETURNS AND THE PAYMENT OF BUSINESS PRIVILEGE TAX, FOR LICENSE YEAR 2020 ONLY, FROM MAY 15, 2020, UNTIL JULY 15, 2020**

**WHEREAS**, Part Three, Article 341 (“Business Privilege Tax”) of the Code of the Town of McCandless authorizes the imposition and collection of a Business Privilege Tax on business transacted in the Town of McCandless; and

**WHEREAS**, Article 341 sets forth that the filing of returns and payment of Business Privilege Tax shall be made to the Town of McCandless Tax Administrator on or before May 15 of each year; and

**WHEREAS**, on March 25, 2020, the Town of McCandless declared a local state of emergency with regard to the COVID-19 Pandemic; and

**WHEREAS**, as a result of the COVID-19 Pandemic, and particularly acknowledging the associated economic impact on businesses operating within the Town, the Town Council of the Town of McCandless finds that it would be in the best interests of the Town and the businesses operating within the Town to extend the deadline for the filing and the payment of Business Privilege Tax for license year 2020 only, until July 15, 2020.

**NOW, THEREFORE, BE IT ORDAINED**, by the Town Council of the Town of McCandless, as follows:

Section 1. Article 341, Section 341.04(b) of the Code of the Town of McCandless shall be amended to insert the underlined text:

**(b)** Every person subject to the tax imposed by this article who commenced his business on or before January 1 of the full calendar year previous to the beginning of any tax year shall on or before May 15 of the tax year file with the



Tax Administrator a return setting forth his name, business, business address and such other information as may be necessary in arriving at the actual gross amount of business transacted by him during the preceding calendar year, and the amount of the tax due. For license year 2020 only, applicable to business privilege taxes payable on the actual gross amount of business transacted by each taxpayer in 2019, returns shall be due to the Tax Administrator on or before July 15, 2020. In all years thereafter, the deadline for filing of returns shall be on or before May 15.

Section 2. Article 341, Section 341.04(c) of the Code of the Town of

McCandless shall be amended to insert the underlined text:

**(c)** Every person subject to the tax imposed by this article who has commenced his business before the beginning of the tax year but after January 1 of the full calendar year previous to the beginning of the tax year shall on or before May 15 of the tax year file with the Tax Administrator a return setting forth his name, business, business address and such other information as may be necessary in arriving at the estimated gross amount of business transacted by him as calculated under Section 341.03(b)(2) and the amount of tax due. For license year 2020, returns shall be due to the Tax Administrator on or before July 15, 2020. In all years thereafter, the deadline for filing of returns shall be on or before May 15.

Section 3. Article 341, Section 341.04(g) of the Code of the Town of

McCandless shall be amended to include the underlined text:

**(g)** Payment of tax and penalties for late payment. The Business Privilege Tax levied pursuant to this article for the tax year 1982, which shall include the period from February 1, 1982 through December 31, 1982, shall be due and payable as follows: 1/3 shall be due and payable on May 15, 1982, 1/3 shall be due and payable on July 15, 1982 and 1/3 shall be due and payable on September 15, 1982, and if the same is not paid on such dates, 10% shall be added thereto, plus an additional 1% per month or fractional part of a month until paid. For the tax years 1983 and subsequent tax years to which this article is applicable, the business privilege tax levied pursuant to this article shall be due and payable on the date on which the taxpayer is required to file a return as set forth above, and if the same is not paid on such date, 10% shall be added thereto, plus an additional 1% per month or fractional part of a month until paid. For Business Privilege Tax due and payable for 2014 and subsequent tax years, if for any reason the tax is not due, interest at the rate of 6% per annum on the amount of such tax, and an additional penalty of 0.5% of the amount of unpaid tax for each month or fraction thereof during which the

tax remains unpaid, shall be added and collected. For license year 2020 only, the Business Privilege Tax levied on the gross amount of business transacted by a taxpayer during 2019 pursuant to this article shall be due and payable to the Tax Administrator on or before July 15, 2020. For license year 2020 only, no interest shall accrue and no penalty shall be charged on any payment of Business Privilege Tax received by the Town of McCandless Tax Administrator on or before July 15, 2020. In all years thereafter, the deadline for submission of payment shall be on or before May 15.

Section 4. Severability.

If any of the provisions or terms of this Ordinance shall be held invalid for any reason whatsoever, then, unless such provision or term is material to this Ordinance as to render this Ordinance impracticable to perform, such provision or term shall be deemed severable from the remaining provisions or terms of this Ordinance and shall in no way affect the validity or enforceability of any other provisions hereof.

Section 5. Repealer.

All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

ORDAINED AND ENACTED into law, this **27th** day of **April, 2020**, to become effective ten (10) days after proper advertisement hereof.

ATTEST:

TOWN COUNCIL  
TOWN OF McCANDLESS

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President